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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Augustine

Serial No.: 09/771,791

Filed: January 29, 2001

Group No.: 3739

Examiner: Rosiland S. Kearney

Docket No. AUGA17000025

For: **SURGICAL BARRIER DEVICE INCORPORATING AN INFLATABLE THERMAL BLANKET WITH A SURGICAL DRAPE TO PROVIDE THERMAL CONTROL AND SURGICAL ACCESS**

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date 22 November 2002, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

22 November 2002
Date

Thomas A. Duce
Signature

BOX FEE AMEND

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

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TECHNOLOGY CENTER 1570

AMENDMENT AND REQUEST FOR RECONSIDERATION

A Terminal Disclaimer accompanies this paper.

In response to the Office Action dated August 13, 2002, the applicant requests amendment of the application as indicated below. All pending claims are listed for the Examiner's convenience.

IN THE CLAIMS

58. (Unchanged) A combination for use during surgery on a person, comprising:
- a flexible base sheet;
 - a material sheet attached to a first surface of the base sheet by a plurality of seals to form an inflatable portion with a periphery, the inflatable portion having a periphery;
 - a plurality of apertures through the base sheet within the periphery; and
 - a surgical drape attached to, or formed integrally with, the inflatable portion and extending beyond the periphery.